

E-Books and Public Libraries

25 November 2011

To: Ed Vaizey, Department of Culture, Media and Sport

I know you are currently considering the views of the publishers and the librarians about e-book lending. Our members will be affected by whatever outcome evolves from the various discussions, so I hope you will factor our views into your deliberations.

We very much support the position of The Publishers Association in this matter. Late last year, the PA set out its position on e-book lending in libraries. Richard Mollet, Chief Executive of The Publishers Association said:

“Ultimately, the activities of selling and lending have to be able to co-exist with neither unduly harming the other. If ebook lending were untrammelled it would pose an extremely potent threat to the retail market which in the long-term would undermine the ability of authors, and the companies which invest in them, to see a reward for their creativity. This would be hugely a negative outcome for everyone, including libraries and their communities.”

The BA very much believes in the importance of public libraries. But libraries have to recognise that if e-book lending were without controls, it would pose an extremely potent threat to the retail market, to publishers and authors. As you may know, we had instances a while ago of public libraries offering to loan e-books 24/7 to anyone without any controls. Apparently some borrowers were as far away as China!

If bookshops are substantially undermined by e-book lending without fair controls, then they may well go out of business, which will not be in the interests of the libraries and communities they serve. Also, there is a real danger of e-books lent by libraries being copied illegally, as it seems experienced pirates are able to get round the DRM protection.

In our view, e-books should be treated simply as a different book format and be subject to restrictions in the same way as printed books. We are not against libraries being able to loan e-books. But we want this to happen in such a way that the sales in bookshops are not substantially undermined.

As far as e-books are concerned, the BA's position is as follows:

- We believe that access to e-books should only be permitted to permanent residents who hold a library membership card. (However, we realise that libraries may also offer access to regular users who may commute into their area – as many do in London.)
- We do not believe that temporary membership should be granted by libraries for visitors.
- We take the view that provided membership is only permitted to permanent residents who hold a library membership card, that remote access to the library's website is acceptable.

- Libraries should only be able to lend e-books for a pre-determined period to a borrower on a one book/one user basis, as happens now with physical books - the technology already exists.
- We believe that libraries should impose a charge when downloading or providing access to an e-book (as is usually the case with DVDs and audiobooks at present).
- Monies collected by the library could then be ring-fenced and used to increase the book fund.

The BA has publicly supported recent efforts to stop the closure of public libraries. We understand that over £1,000m of public money goes to fund the library service annually, yet only just over £90m goes towards the book fund. We believe the percentage spent on books by libraries (as a percentage of the total funding) has to be increased.

We do hope you and your DCMS colleagues will take our views into consideration.

With best wishes,
Yours sincerely,

Tim Godfray
Chief Executive